

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

EDWARD VINCENT RAY, JR.,  
Plaintiff,

v.

METCALF, et al.,  
Defendants.

Case No. 19-01247 EJD (PR)

**ORDER OF DISMISSAL**

Plaintiff, a California state prisoner, filed the instant pro se civil rights action pursuant to 42 U.S.C. § 1983 along with a motion for leave to proceed in forma pauperis (“IFP”). (Docket No. 2.) On September 3, 2019, the Court denied the IPF motion under 28 U.S.C. § 1915(g) because Plaintiff had three or more prior dismissals and was not under imminent danger of serious physical injury at the time of the filing of the action. (Docket No. 3.) Plaintiff was directed to pay the full filing fee no later than fourteen days from the date the order was filed, i.e., no later than September 17, 2019, or face dismissal. (Id. at 4-5.) The deadline has since passed, and Plaintiff has failed to pay the filing fee. Accordingly, this matter is DISMISSED for failure to pay the filing fee.<sup>1</sup>

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<sup>1</sup> The Court notes that Plaintiff filed an appeal which is currently pending in the Ninth Circuit. (Docket Nos. 4, 5.)

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The Clerk shall terminate any pending motions and close the file.

**IT IS SO ORDERED.**

**Dated:** 9/30/2019



EDWARD J. DAVILA  
United States District Judge